

# PLANNING APPLICATION REPORT

**Case Officer:** Laura Batham

**Ward:** Lew Valley

**WARD MEMBER:** Cllr J McInnes

**Application No:** 00034/2014

**Agent/Applicant:**

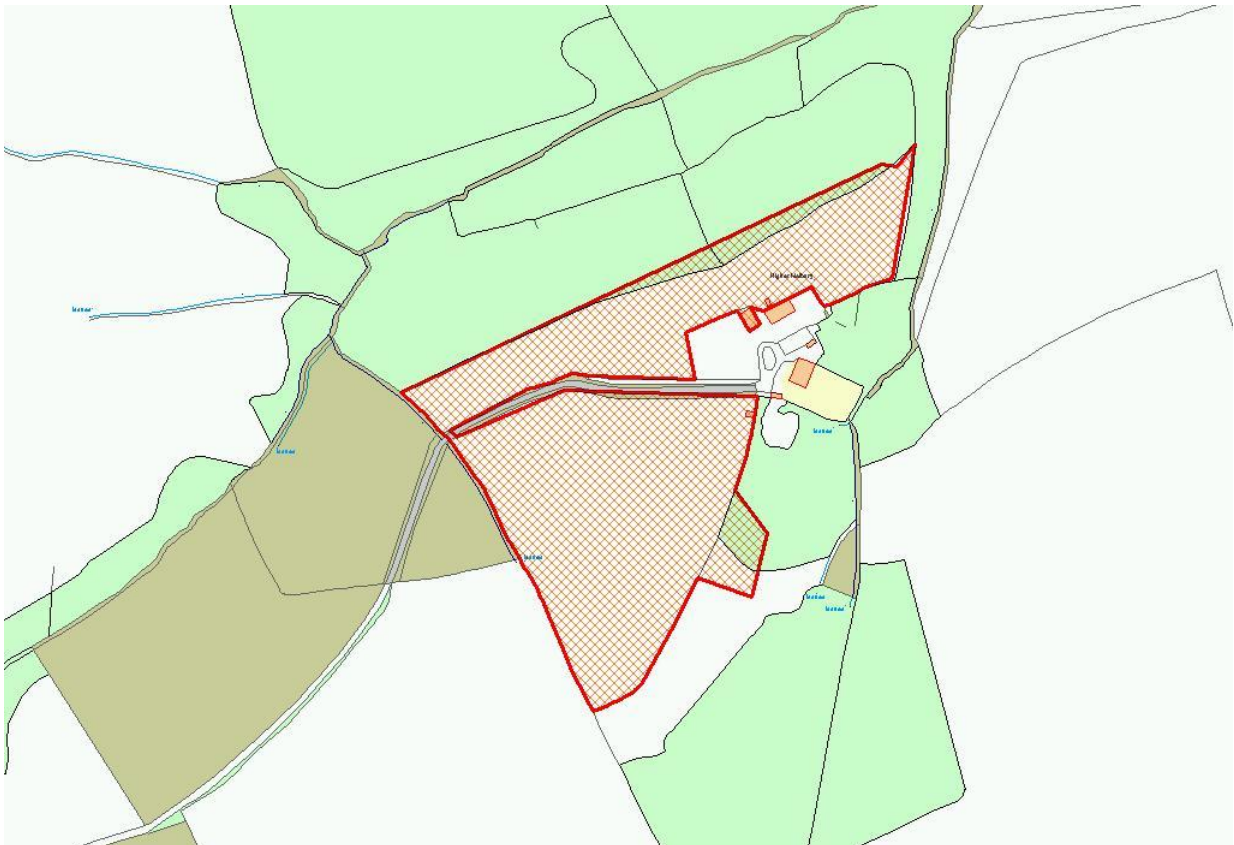
Ms A Rogers  
Higher Melbury  
Broadbury  
Okehampton  
Devon  
EX20 3PG

**Applicant:**

Ms A Rogers  
Higher Melbury  
Broadbury  
Okehampton  
Devon  
EX20 3PG

**Site Address:** Higher Melbury, Broadbury, Okehampton, Devon, EX20 3PG

**Development:** Amended Description: Major application for change of use to campsite including 3 wagons, 1 caravan, 3 bell tents, 6 tent pitches and conversion of existing outbuilding to shower and toilet block, games room and associated infrastructure.



© Crown copyright and database rights 2014

Ordnance Survey 100023302

Scale 1:1250 For internal reference only – no further copies to be made

**Reason item is being put before Committee:** Cllr McInnes requests the application be called before committee due to impact on the landscape.

**Recommendation:** Conditional Consent

**Conditions:**

1. Standard time limit
2. Build in accordance with plans
3. Use limited to holiday letting only
4. Use limited to operation by Higher Melbury only
5. Area outlined in green to be limited to the siting of 6 tents and 3 bell tents only at any one time. No siting of bell tents of other tents outside this area.
6. Details of lighting to be provided
7. Details of foul and surface water drainage to be provided
8. Details of landscaping including hard surfacing and its implementation
9. Parking and turning area to be provided prior to the use commencing, to be maintained as such, and for no other purpose
10. Ecology conditions

**Key issues for consideration:**

The key issue for consideration is the principle of this development in the countryside. The application is considered to be acceptable in this location and is not considered to have a significant impact upon the landscape or the County Wildlife Site. Concerns have been raised by local residents regarding the highways impact; however, this has been re-assessed and is now considered to be acceptable. The drainage information is considered to be suitable for consent and more detail will be requested by condition. The site is isolated with no immediate neighbours and therefore the neighbour impact is not considered to be significant. In conclusion, the development is considered to be acceptable and is therefore recommended for conditional consent.

---

**Site Description:** Higher Melbury is an isolated dwelling accessed from the A3079 via a long track which serves both the dwelling and surrounding access to fields. The site is in the open countryside, the dwelling is not Listed, nor within a Conservation Area or AONB. There are no dwellings immediately adjacent to the site. The site is surrounded by open fields and the nearest dwellings are the Railway Cottages to the south west of the site. To the north is Burdon Farm and to the east is Venn Barton. To the north west is Coxwall Farm and Broadbury Castle Farm and near to this is a Scheduled Ancient Monument and the large Broadbury Mast. There are long landscape views to the north of the site but the proposal is not visible from the A3079 to the south and west. The application site is a mixture of open fields with hedge boundaries and established trees. Part of the site also consists of newly planted trees of a dense nature. The site is set on the side of a hill and as result the land level changes with the land to the south being at a higher level and the land falling away to the north and east.

**The Proposal:** Change of use to campsite including stationing of 3 wagons, 1 caravan, 3 bell tents, 6 tent pitches and conversion of existing outbuilding to shower and toilet block, games room and associated infrastructure. The application is classed as major application as the proposal is spread out over a large area.

## Consultations:

- County Highways Authority: Initial objection subsequently removed: 'Following the original response from the highway authority, the applicants provided additional information in support of the application and have met with the Highways Department Management Officer to clarify not only the anticipated traffic generation from the proposal (with respect to the numbers and frequency) but also the level of vehicles currently using the access to access the fields adjoining the application site. The opportunity was taken to examine further the access and the behaviour of traffic on A3079; assessing in more detail the effect the proposals would be likely to have on highway safety, in light of that additional information. On balance, the highway authority feels it is appropriate in this instance to review the original response as it is now considered that the additional traffic generated by the proposals will not lead to conditions prejudicial to highway safety.'
- Environmental Health Section: No comments received
- Parish Council: No comments received
- Drainage Engineer: Requests a drainage condition.
- Landscape Officer: All hedge banks are shown to be retained and generic tree advice is in the report from Devon Wildlife Consultants dated 7<sup>th</sup> October 2013. From a desk top study, the impact appears minimal but it would be good practice if all proposed additions were located outside of the falling distance of mature trees – however whilst it might be preferable from an operational viewpoint to locate structures outside of the falling distance this wouldn't be justifiable planning requirement.
- Natural England: Natural England advises the council that the proposal is unlikely to affect any statutorily protected site or landscapes. Standing advice should be applied in respect of protected species. Biodiversity and landscape enhancements should be considered.
- Countryside Officer: It is a sensitive proposal which fits well with its sensitive environment. Conditions will be required to deal with additional details.

## Representations

5 letters of objection received raising the following points:

- Noise and disturbance created once the development is completed. There was a loud party in the Christmas/New year period and quad bike racing at other times.
- If the application is granted assumption that the noise from these and other planned activities will get worse and this will be intolerable for neighbours.
- This is a quiet part of Devon and the proposal is inappropriate in this location.
- Concern with flood pollution risk and risk to County Wildlife Site and Natural England higher level stewardship site. Any development near these sites will put them at risk from protection run off and flood into the water table.
- No mention of opening times or whether it will be year round
- Will there be control over any future expansion of the site/possible events?

- The shared track provides access to other properties and is of a loose stone/soil construction. The addition traffic will cause rapid deterioration of the surface which is already high maintenance.
- The view as you exit onto the highway is limited especially in the summer. The traffic on the road is up to 60mph with vehicles overtaking. Pulling out can be difficult and visitors will not be aware of the situation.
- The privacy and security available from the private track will be lost with the increased volume.
- Traffic will increase at least four times as people will want to leave the site every day. The additional traffic would be too dangerous to allow given the speed at which the traffic travels.
- Having lived in the area for 39 years, the access to the A3079 is particularly dangerous and the addition of the campsite will lead to a greater accident risk.
- If planning is granted it would be expected that traffic calming and speed restrictions through Broadbury would be expected.
- Road access concerns following the withdrawal of the Highways Officer's objection.

16 letters of support raising the following points:

- The proposal will be of benefit to people visiting and the local community
- It is a very peaceful location and a beautiful setting which would be an ideal campsite area.
- In 40 years living at the property, there have not been problems pulling out of the junction and have not heard of an accident. The road would benefit from a 40mph speed limit.
- The business will enhance the local community and catchment area.
- The proposal will enhance the potential for tourism and economic growth in the area. It will bring in much needed tourism to the area. The proposal will support local businesses.
- the applicant is committed to creating an area of tranquillity and preserving the area.
- The campsite will be small and family orientated. It will give children the opportunity to experience the countryside.
- The proposal to offer activities for visitors will offer a unique experience for visitors.
- The site is accessible using public transport.

### **Relevant Planning History**

None relevant

### **ANALYSIS**

Principle of Development/Sustainability:

The application site lies largely within an area of undesignated open countryside with a small section situated within a County Wildlife Site. Development in such areas is generally restricted in order to protect and enhance the countryside. Local Plan Policy NE10 does not permit development in the countryside outside settlement limits unless;

- (i) It provides an overriding economic or community benefit and cannot be reasonably located within an existing settlement;
- (ii) It does not cause unacceptable harm to the distinctive landscape character of the area and the important natural and made features that contribute to that character including views;

- (iii) Where the development is not associated with agriculture, the best and most versatile land is only developed if sufficient lower grade land is not available or that available lower grade land has an environmental value that outweighs agricultural considerations.

Protection for the countryside also exists in the West Devon Core Strategy, whereby SP1 requires consideration to be given to protecting and enhancing the countryside, biodiversity and geodiversity, with particular regard to a range of locally, nationally distinctive design and sustainable construction. However, SP1 also suggests that the need for new developments to minimise resource and energy consumption should be demonstrated.

The above policies can be seen to be quite restrictive, however, further policy guidance is put forward in the NPPF, which also refers to the need to contribute to and enhance the natural and local environment. However, the NPPF also places an emphasis on the presumption in favour of sustainable development, and the need to support a prosperous rural economy. In particular, paragraph 28 refers to promoting the development and diversification of land-based rural businesses, supporting sustainable rural tourism which respects the character of the countryside. This "...should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres."

With regards to specific tourism policies, within areas of open countryside, Local Plan Policy TLS2 is the most relevant, relating to the provision of new caravan/camping sites. The development of new sites (including proposals for static caravans, mobile homes or chalets) will be permitted where it is considered that existing provision is inadequate, where:

- (i) The development is visually unobtrusive at all times of year and can be screened in a manner which is compatible with the surrounding landscape;
- (ii) There is no significant adverse impact on wildlife, agriculture or historic interest;
- (iii) The development is of a scale related to its setting;
- (iv) The site layout, design and landscaping of the scheme minimises any adverse affects;
- (v) Roads linking the development with the primary and county road network are adequate for the volume and type of traffic likely to use them; and
- (vi) The use is restricted to holiday purposes.

It is considered that the application complies with TLS2, the general aims of NE10 and the National Planning Policy Framework in that the proposed use is for holiday accommodation only, and this can be secured by condition. The site is not in a prominent location and cannot be viewed from the south or east. The site is visible to the north and north east from the road between the A3079 and Northlew; however, it is considered that the site can be adequately screened using a landscaping condition. The proposal is of a small scale, and considered acceptable for the location.

With regards to the need for the development, the West Devon Local Plan recognises there might be circumstances where appropriate tourism development should be considered in locations where residential use would not be acceptable, and where this is the case, developments should be sensitively located and designed with careful landscaping to render them as inconspicuous as possible; it is considered the proposal follows this objective. It is seen as being appropriate in

nature for this remote rural location and will be supportive of the rural economy, albeit in a small way, in accordance with Core Strategy Policy 11.

Policy TLS2 permits new sites where existing provision is deemed to be inadequate. Concern has been raised regarding the future expansion of the site. Any further expansion would require planning permission and this would be assessed if submitted.

The following campsites are available in the area:

Lower Brockscombe – Campsite (consent granted in 2013)

Bundu Camping and Caravan Park, Sourton – Traditional Caravan and camping

Ruby Lodges - Large, high-end holiday lodges

Coope Farm –2 “Shepherd’s Huts”

Evergreen Farm –Gypsy caravan

South Breazle Holidays – traditional camping, touring and caravan storage

Leasefield Farm –high end, yurts, teepees, B and B

Dartmoor View Holiday Park – Traditional caravan park

Whilst it is evident there are several camping and/or caravan facilities in the immediate area, there is not a substantial number of sites which offer this type of camping/’Glamping’. The amount of accommodation in the area is not considerable substantial and therefore the proposal for a small amount of additional accommodation is considered acceptable.

In a recent planning decision at Lower Brockscombe Coppice where consent was sought for a similar development the application was approved by the Planning Inspectorate on Appeal. The appeal decision highlighted that Policy TLS2 of the Local Plan supports this type of application subject to several criteria, none of which relate to sustainability factors. The Inspector also highlights that given the policy there is no need for the applicant to demonstrate an overriding economic or community benefit that would otherwise be required in Policy NE10.

Design:

The application proposes a mixture of tent pitches which will change regularly in appearance and also more permanent structure. In addition to the 6 tent pitches it is proposed to use a Shepherds Hut, Gypsy Caravan, Wagon, Airstream Caravan and 3 bell tents. The infrastructure also proposes the installation of composting toilets and the conversion of an existing outbuilding to a shower block and games room.

The shower block/games room is largely unchanged externally and the use of an existing building on site is considered an acceptable proposal. It reduces the need for new buildings on site for the proposed use. Alterations are required internally to facilitate the changes and overall the appearance of the building is utilitarian and considered acceptable in this isolated location.

The shepherd’s hut, gypsy caravan and wagon are all small structures which are temporary in nature and constructed of timber. The buildings are small scale which measure up to 12.5 square metres each and set on wheels. The airstream caravan is of a very different style to that of the other permanent structures, but the design and materials are considered acceptable. The composting toilets are proposed to be located within timber sheds which are small scale and the design considered acceptable. The tents and bell tents are more temporary in nature and will change and move over time. There are no objections in design terms to the provision of tents and bell tents.

#### Landscape:

There have been concerns raised in representations relating to the impact of the proposal upon the landscape character of the area. The proposal is considered to be of a small scale which the various holiday uses spread out in various areas of the land. The Landscape Officer has advised that given the small scale of the development, it is not considered that the site will have a significant impact upon the landscape character of the area. The Gypsy caravan and Shepherds Hut are both proposed to be located on the edge of a newly planted woodland. Whilst these trees are currently small in size they will offer long term screening for these elements. In addition, the landscaping has been implemented and trees have already had time to become established which will help to prevent an impact immediately should the application be granted. The wagon is located in a field with established hedgerows and no long landscape views form the site and it is not considered that this element will have a significant impact upon the landscape. The Airstream caravan is not highly visible in the landscape and is set against the hedge bank which offers screening. A landscaping scheme is requested to ensure that the caravan has sufficed landscaping to the north of the site. The field allocated for six tent pitches and three bell tents have given indications of locations; however, it is likely that these will need to move slightly within the year. The field is bounded by established hedge banks which offer screening for the site. These tents will not be prominent in the landscape and cannot be seen from the A3079 to the south. The tents could be seen from the new farm buildings close to Coxwell Farm; however, the tents merely being visible from these barns is not a reason for refusal. Given the small scale development proposed, these tents would not be a prominent feature and it is not considered that the development would have a significant detrimental impact upon the landscape character of the area to warrant refusal of planning consent. The shower block and games room is proposed to be housed in an existing building onsite and therefore this element will not affect the landscape character. It is proposed to introduce a new parking area. This is not a significant addition; however, no screening has been shown on the north/north-eastern boundary of the car park and therefore details are requested by condition to ensure that the parking will be adequately screened.

#### Neighbour Amenity:

There are no immediate neighbouring dwellings which will be affected by overlooking. The nearest dwellings are a significant distance away from the proposal sites with Venn Barton approximately 600 metres from the site, Railway Cottages approximately 500 metres to the south west and Coxwall Farm approximately 450 metres to the west and Broadbury Castle Farm beyond that. Given the separation distance from the proposal site it is not considered that the dwellings will be significantly affected. Concerns have been raised regarding noise; however, there have been no objections by Environmental Health. A neighbour has identified a party that occurred during the Christmas period which caused a noise problem and also motor cross events. The applicants have confirmed that this was a family party and a one-off occasion and this does occur occasionally where residents have private parties. The application does not seek consent for this type of development. As this is an isolated location, it is inevitable that the proposed development will result in additional noise than what is currently experienced. However, the proposal is of a small scale and it is not considered that the development would create a significant noise level as to warrant a refusal. The distance between the dwellings and landscaping between will aid in reducing the impact. Were there to be any noise disturbance in the future this would be controlled through Environmental Health legislation.

#### Highways/Access:

There have been letters of concern raised regarding the highways access. The Highways Department did initially object to the application with concerns regarding the access. This has since been altered and the objection has been withdrawn. The Highways Officer has advised that 'The opportunity was taken to examine further the access and the behaviour of traffic on A3079; assessing in more detail the effect the proposals would be likely to have on highway safety, in light of that additional information. On balance, the highway authority feels it is appropriate in this instance to review the original response as it is now considered that the additional traffic generated by the proposals will not lead to conditions prejudicial to highway safety'. The Highways Engineer has advised that the level of traffic generated as a result of the proposal is considered to be acceptable. Should the applicants wish to expand the site in the future, this could be re-assessed. The letters of representation have also raised concern with the quality of the lane giving access. The lane is in some need of repair and it is the applicant's intention to improve this access should consent be granted. The access is private and therefore maintenance is the responsibility of the combined owners.

The site is well located to access walking/cycling/bridleway routes for visitors and there is a public bus route along the A3079 including the Bude to Exeter bus. There are nearby links to the Granite Way, Pegasus Way and Ruby Way. As outline above the principle of development is considered acceptable and the application has shown a need for this type of development. The applicants have stated that discounts will be offered to visitors arriving by sustainable methods and a pick and drop off service at Exeter Train station will be offered. This site is well related to Dartmoor and is also along a main route to Bude and North Cornwall for tourism.

#### Other Matters:

The applicants have indicated that they intend to offer complimentary therapy and workshops for people staying on site. This is considered to be ancillary uses to the proposed camping on site and does not require planning permission. The applicants do not intend on providing workshops/complimentary therapy to people from off site. If the applicants wished to undertake this in the future, consent would be required.

#### Ecology:

An extended Phase 1 Survey Report has been submitted with the application and assessed by the Countryside Officer. The site is partly within a County Wildlife site; however, this area is limited to a small proportion of the site. The Officer considers that the information submitted has adequately assessed the impact of the proposal and does not have a significant detrimental impact. Conditions are requested for further details and these conditions will be provided to Members by way of an update at the Committee meeting.

#### Drainage:

The Drainage Engineer has assessed the application and made comments and observations. The Engineer has advised that further information will be required prior to commencement of development; however, this can be dealt with by way of a condition which will request details of foul and surface water drainage.

#### Conclusion:

In conclusion, the application is considered to be acceptable in this location and is not considered to have a significant impact upon the landscape or the County Wildlife site. Concerns have been raised by local residents regarding the highways



impact; however, this has been re-assessed and is now considered to be acceptable. The drainage information is considered to be suitable for consent and more details will be requested by condition. The site is isolated with no immediate neighbours and therefore the neighbour impact is not considered to be significant. In conclusion, the development is considered to be acceptable and is therefore recommended for conditional consent.

### **Planning Policy**

**This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and, where relevant, with Sections 66 and 72 of the Town and Country Planning Act 1990 (Listed Buildings and Conservation Areas).**

### **Planning Policy**

National Planning Policy Framework

### **West Devon Borough Council Core Strategy 2011**

SP1 – Sustainable Development

SP10 – Supporting the Growth of the Economy

SP11 – Rural Regeneration

SP17 – Landscape Character

SP18 – The Heritage and Historical Character of West Devon

SP19 – Biodiversity

SP20 – Promoting High Quality Design

SP21 – Flooding

### **West Devon Borough Council Local Plan Review 2005(as amended 2011)**

NE10 – Protection of the Countryside and Other Open Spaces

BE19 – Development on Contaminated Land

TLS1 – Holiday Accommodation

TLS2 – Camping and Caravanning

TLS3 – Tourist Accommodation Outside Defined Limits

TLS4 – Visitor Attractions, Recreation and Leisure Facilities

TLS5 – Visitor Attractions, Recreation and Leisure Facilities

TLS6 – Allotments

TLS7 – Existing Sports Facilities

TLS8 – Recreational Uses at Crowndale, Tavistock

T9 – The Highway Network

PS2 – Sustainable Urban Drainage Systems

PS3 – Sewage Disposal

### **Considerations under Human Rights Act 1998 and Equalities Act 2010**

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

---

Notes of a Meeting of the **SITE INSPECTION PANEL** held on **THURSDAY 20<sup>th</sup> MARCH 2014** at 2.00 pm.

**Present:** Cllr M J R Benson – Vice-Chairman  
Cllr W G Cann OBE Cllr L J G Hockridge  
Cllr C M Marsh Cllr T G Pearce  
Cllr J Sheldon

Senior Planning Officer  
Committee & Ombudsman Link Officer

**In attendance:** Ms A Rogers - Applicant

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs R Baldwin, C Hall, D Whitcomb and D Wilde.

**2. APPLICATION 00034/2014 – HIGHER MELBURY, BROADBURY, OKEHAMPTON, DEVON EX20 3PG**

The Senior Planning Officer outlined the application which was to provide a campsite comprising three wagons, a caravan, three bell tents provided on site and pitches for up to six visiting tents. In addition, an existing outbuilding was to be converted to provide a shower and toilet block and a games room. External lighting would be low level and solar powered.

The Panel met the applicant on site, having walked the full length of the access track which was rough and uneven but usable with care. The applicant took the Panel to the proposed locations for the bell tents and the three wagons which would be spread out on the site adjacent to the farmhouse and the field on the other side of the access track which would accommodate the visiting tents. The caravan was to be located some distance opposite the farmhouse, adjacent to the access track but screened from the track by an established hedge bank.

It was a large site and the applicant advised that the surface of the track would be improved before the campsite opened for use.

The site meeting closed at 2.13 pm.

---